

# Office of Attorney General Terry Goddard



STATE OF ARIZONA  
DEPARTMENT OF LAW  
12 75 W. WASHINGTON STREET  
PHOENIX, ARIZONA 85007-2926  
[WWW.AZAG.GOV](http://WWW.AZAG.GOV)

ANDREA M. ESQUER  
PRESS SECRETARY  
PHONE: (602) 542-8019  
CELL PHONE: (602) 725-2200

**FOR IMMEDIATE RELEASE**

---

## **Attorney General Settles with Oracle School District Over Open Meeting Law Violations**

(Phoenix, Ariz. – Jan. 12, 2006) Attorney General Terry Goddard today announced a consent agreement settling open meeting law violations with members of the Oracle School District Governing Board.

An investigation by the Attorney General's Open Meeting Law Enforcement Team (OMLET) revealed that a quorum of the Governing Board members continued an executive session regarding Oracle School Superintendent John Clark's evaluation via email. Specific violations include:

- On Nov. 12, 2004, Board member Madeline Bosma sent an email message to other members discussing Clark's evaluation scores which were derived from information provided by a quorum of the Board.
- On Nov. 13, 2004, Bosma sent an email to Board members discussing Clark's evaluation results. In this email, Bosma asked some of the Board members to justify scores and gave Board members a deadline to provide her with additional information so she could complete the process.
- On Nov. 15, 2004, Bosma sent an email to the Board discussing changes to the scores and comments. She also attached a draft of the evaluation for Board review and discussion. She asked Board members to review it and bring any proposed changes to the next meeting or email the changes to her.

"The fact that a majority of the Board exchanged messages discussing possible Board actions constituted a meeting," Goddard said. "I don't want to stop public officials from using email, but they need to be careful and use it lawfully."

Terms of the Consent Agreement include:

- Bosma will pay a \$500 penalty within 30 days from the date of execution of the Consent Agreement. The penalty will be paid to the Oracle School District general fund.
- All current Governing Board members will participate in an Open Meeting Law training session within 90 days from the date of execution of the Consent Agreement.
- Governing Board members will sign a written statement agreeing that they will not use email, or direct staff to use email, to communicate with any other Board member.

- The Governing Board will establish an email record retention system and make it available for public inspection.
- The Governing Board will establish an email policy that governs both Board member and staff email messages. The policy will be developed at a public meeting and must conform to all open meeting law requirements.

The investigation was prompted by a complaint filed by Clark and former Board member Patrick Schifano. They filed the complaint with the Pinal County Attorney's Office, which turned the matter over to the Attorney General's Office.

The following Board members signed the agreement: Madeline Bosma, Susan Beaman, Nellie Doran, and Elizabeth Harmon. Board member Jack Walden did not sign because he was not a board member at the time the violations occurred.

###